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Social Life

fines were in their hands. If he murdered one of the royal family 682
he was killed after he had paid the fine." The punishment of a woman [562]
who has committed a murder is the same as that for a man.

Ombulungu is the name given to trial by poison ordeal. The 695
medicine-man holds out both his hands, in each of which there is a potato, only one of which is poisoned. The accused man says, "If I have done this thing, this potato will be poison for me. If I have not done this thing, this potato will be food for me." The complainant says, "If this is not the man who poisoned my brother, this potato will be poison for me." They sit in front of the medicine-man, and each must take the potato in the hand opposite to him. The poison makes a man very sick. His mouth swells so that he cannot speak.

When a woman was accused of murder her son or her brother [562]
would take her place in the poison ordeal. A boy of fifteen years of age would have the same treatment as a man. "I don't think a girl would kill anybody. I never heard about it," said Ngonga. It appears that resort was made to a medicine-man when the accused was thought to have committed murder by poison or magic. If the murderer used weapons, the accuser, who was usually a relative, was entitled to kill him with the kind of weapon used for the crime.

The penalties for adultery were the same as those for murder. 684
The woman appears to have escaped punishment, except that "her husband would not have her any more." The male adulterer had to pay the husband; if he could not pay or escape, the husband had the right to kill him. In the old days the price for adultery was two oxen, a pig, and a slave. At the present day a man who has committed adultery and made payment, possibly takes the woman and all children under three years of age. The husband has the right to decide whether the adulterer has the privilege of taking the woman and her children. An adulterer with one of the king's wives was castrated but not killed. He might, instead of mutilation, pay a very [567]
high price, while he himself along with his sisters and the sons of his sisters, would become slaves of the king. If a man could not pay, he might be sold as a slave in order to provide money for the fine. Criminal law did not distinguish between responsibility for inten- [671]
tional and unintentional offences.

It is very difficult to say how much of the old law survives. One 681
feels that underneath the ostensible Portuguese rule there is an active 177
native life that is resisting subjugation.

Only two years ago Ngonga paid an ox to prevent one of his female 686
relatives from being pawned. Within the past ten years Ngonga has

686 actually paid to redeem his brother and sister who were sold to pay the debts of his maternal uncle. Officialdom is one thing and actual [177] practice is another. Ngonga is right when he says that people appeal to the native law as laid down by the chief or king. If they are not satisfied they pretend a great respect for Portuguese law and therefore go to the Administrador.

WARFARE AND SLAVERY

648 726 The Ovimbundu have been for centuries an organized people possessed of a well-developed language, a legal system, and complex social organization. In trade and travel too, the Ovimbundu have been in the vanguard of African tribes. These reasons, in conjunction with the fact of numerical superiority and early contact with the Portuguese, would account for the success of the Ovimbundu in warfare. The defensive federations existing between the ten or twelve main political units, whereby they did not habitually war on each other, helped to assure success. Should the eldest son of a king's [643] principal wife be thought unsuitable as successor, a competent son of the deceased king was elected by a council of village chiefs.

411 There is no evidence that the Ovimbundu poisoned their weapons, neither do they do so today. The Ovimbundu do not use a shield at the present time, neither is it certain that they had shields in former times. A skin-covered powder-box was carried in the king's train when on the warpath.

718 Signaling-drums were about two feet long. They were made from a cylinder of wood over the ends of which skin was stretched. Signaling, which was accomplished by drumming with the palms of the hands, was the task of boys who resided in the king's compound, except when they accompanied him to war or on a trading journey. There was no system of smoke signaling. The iron war gong was named *ongonge*, but the instrument is nowadays tapped by the assistant of a medicine-man during his performance. In former times the gong was struck in the night to give assurance that the enemy was not in sight.

726 In war the oldest son of a king or of a chief went ahead of the war party accompanied by a few men who wore red leaves on their foreheads.

721 Intertribal jealousies, raiding for cattle and slaves, also reprisals for interference with caravan trade, were the chief causes of conflict with surrounding peoples. There was undoubtedly some internal warfare within the confederacy. The Ovimbundu of Elende, Bail-

3: Hambly E-5 (1929-1930) 1934 FP13 Mbundu FP13

undu, and Ngalangi are said to have had conflicts. In time past, as at the present day, a king reigned over territory which was extensive but definitely delimited for purposes of administration. Encroachment of one king on the rights of taxation and administration of another led to raids and reprisals. Village chiefs collected taxes in the form of agricultural produce and gave these to the king, who personally visited a village from which payments had not been made. A folklore story begins, "The people had not paid taxes so the king came to the village and told them a parable."

A king, if young, accompanied his people on the warpath. There was, however, a permanent leader named *kesongo*, a derivative from *songola* ("to lead"). The declaration of war, likewise the tactics, were discussed by a council of *olosekulu* ("village chiefs") in the *ombala* ("capital") where the king had, and still has, a royal compound. If war had been conducted among sections of the Ovimbundu, the defeated people had to pay taxes and tribute; moreover, their women and cattle were taken. In event of a successful war against the Vachokue there was plundering of cattle and women, but it was not found practicable to exact periodical payments from the enemy.

The subject of warfare is intimately related to that of slavery. There was until very recent times a domestic slavery which followed from the inability of a person to pay his debts. In connection with this reduction of free persons to a condition of slavery there are several points of exceptional interest. The debtor himself is not taken as a slave, neither are his wife or children. The correct procedure is a sale of his sister's children; but more frequently the children themselves are taken by the creditor. "The debtor's sister will say nothing because this is the law of the Ovimbundu." If payment of the debt is made later, the children are set free. Usually the word pawning is used by ethnologists to describe this proceeding.

Further consideration of Ngonga's payment to his mother's brother clarifies the facts of domestic slavery. "I paid for them, I took their place," said my interpreter. The payment for the return of these two children was two oxen. The girl, who was ten years of age when she was taken to pay the debt, was returned to her people when she was a woman with three children. Ngonga's brother was not actually taken from his home. He was made to pay his mother's brother's debt by working for the creditor. In general, these domestic slaves were not ill treated, though their rights were limited. The position of slaves taken from a hostile